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10	Attorneys for Plaintiff					
11	MMCA Group, Ltd.					
12	IN THE UNITED STATES DISTRICT COURT					
13	FOR THE NORTHERN DISTRICT OF CALIFORNIA					
14	SAN FRANCISCO DIVISION					
15	   MMCA GROUP, LTD., a Virginia					
15 16	MMCA GROUP, LTD., a Virginia corporation,	Civil Action No. CV 06-07067-MMC (EMC)				
	' ' '					
16	corporation,	Civil Action No. CV 06-07067-MMC (EMC)  STIPULATION AND PROPOSED ORDER RE CHANGING DEADLINES				
16 17	corporation,  Plaintiff  v.  HEWLETT-PACKARD COMPANY, a	STIPULATION AND PROPOSED ORDER				
16 17 18	corporation,  Plaintiff  v.  HEWLETT-PACKARD COMPANY, a Delaware corporation, PINKERTON'S,	STIPULATION AND PROPOSED ORDER RE CHANGING DEADLINES				
16 17 18 19	corporation,  Plaintiff  v.  HEWLETT-PACKARD COMPANY, a Delaware corporation, PINKERTON'S, INC., a Delaware corporation, d/b/a PINKERTON CONSULTING &	STIPULATION AND PROPOSED ORDER RE CHANGING DEADLINES  [Fed. R. Civ. Proc. 6(b), Civil L.R. 6-1, 6-2,7-1,				
16 17 18 19 20	corporation,  Plaintiff  v.  HEWLETT-PACKARD COMPANY, a Delaware corporation, PINKERTON'S, INC., a Delaware corporation, d/b/a PINKERTON CONSULTING & INVESTIGATIONS – EUROPE, BUSINESS RISKS INTERNATIONAL,	STIPULATION AND PROPOSED ORDER RE CHANGING DEADLINES  [Fed. R. Civ. Proc. 6(b), Civil L.R. 6-1, 6-2,7-1, 7-12]				
16 17 18 19 20 21	corporation,  Plaintiff  v.  HEWLETT-PACKARD COMPANY, a Delaware corporation, PINKERTON'S, INC., a Delaware corporation, d/b/a PINKERTON CONSULTING & INVESTIGATIONS – EUROPE, BUSINESS RISKS INTERNATIONAL, LIMITED, an United Kingdom	STIPULATION AND PROPOSED ORDER RE CHANGING DEADLINES  [Fed. R. Civ. Proc. 6(b), Civil L.R. 6-1, 6-2,7-1, 7-12]  [No Hearing Required]				
16 17 18 19 20 21 22	corporation,  Plaintiff  v.  HEWLETT-PACKARD COMPANY, a Delaware corporation, PINKERTON'S, INC., a Delaware corporation, d/b/a PINKERTON CONSULTING & INVESTIGATIONS – EUROPE, BUSINESS RISKS INTERNATIONAL, LIMITED, an United Kingdom corporation d/b/a PINKERTON CONSULTING & INVESTIGATIONS –	STIPULATION AND PROPOSED ORDER RE CHANGING DEADLINES  [Fed. R. Civ. Proc. 6(b), Civil L.R. 6-1, 6-2,7-1, 7-12]  [No Hearing Required]				
16 17 18 19 20 21 22 23	corporation,  Plaintiff  v.  HEWLETT-PACKARD COMPANY, a Delaware corporation, PINKERTON'S, INC., a Delaware corporation, d/b/a PINKERTON CONSULTING & INVESTIGATIONS – EUROPE, BUSINESS RISKS INTERNATIONAL, LIMITED, an United Kingdom corporation d/b/a PINKERTON CONSULTING & INVESTIGATIONS – EUROPE, PICA, an Ohio corporation, RODOLFO DIAZ, an individual, LUIS	STIPULATION AND PROPOSED ORDER RE CHANGING DEADLINES  [Fed. R. Civ. Proc. 6(b), Civil L.R. 6-1, 6-2,7-1, 7-12]  [No Hearing Required]				
16 17 18 19 20 21 22 23 24	corporation,  Plaintiff  v.  HEWLETT-PACKARD COMPANY, a Delaware corporation, PINKERTON'S, INC., a Delaware corporation, d/b/a PINKERTON CONSULTING & INVESTIGATIONS – EUROPE, BUSINESS RISKS INTERNATIONAL, LIMITED, an United Kingdom corporation d/b/a PINKERTON CONSULTING & INVESTIGATIONS – EUROPE, PICA, an Ohio corporation,	STIPULATION AND PROPOSED ORDER RE CHANGING DEADLINES  [Fed. R. Civ. Proc. 6(b), Civil L.R. 6-1, 6-2,7-1, 7-12]  [No Hearing Required]				
16 17 18 19 20 21 22 23 24 25	corporation,  Plaintiff  v.  HEWLETT-PACKARD COMPANY, a Delaware corporation, PINKERTON'S, INC., a Delaware corporation, d/b/a PINKERTON CONSULTING & INVESTIGATIONS – EUROPE, BUSINESS RISKS INTERNATIONAL, LIMITED, an United Kingdom corporation d/b/a PINKERTON CONSULTING & INVESTIGATIONS – EUROPE, PICA, an Ohio corporation, RODOLFO DIAZ, an individual, LUIS ORTEGA, an individual, WARREN	STIPULATION AND PROPOSED ORDER RE CHANGING DEADLINES  [Fed. R. Civ. Proc. 6(b), Civil L.R. 6-1, 6-2,7-1, 7-12]  [No Hearing Required]				

CIVIL ACTION NO.: CV 06-07067-MMC (EMC) STIPULATION AND PROPOSED ORDER EXTENDING BREIFING AND HEARING DATES RE PICA MOTION FOR SUMMARY JUDGMENT

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Defendants.

## I. INTRODUCTION

Plaintiff MMCA Group Ltd. ("MMCA") and Defendant PICA submit this stipulation and [proposed] order pursuant to Federal Rule of Civil Procedure 6(b) and Civil Local Rules 6-1, 6-2, 7-1, and 7-12, requesting that the Court extend the deadline for MMCA to file its Opposition papers against PICA's Motion for Summary Judgment/Summary Adjudication (Docket 384). PICA's Motion is currently scheduled to be heard on January 30, 2009, MMCA's Opposition papers are currently due on January 9, 2008. The parties have stipulated and hereby request that the briefing and hearing schedule be extended by a period of two weeks, thus MMCA's Opposition papers be due on January 23, 2008, PICA's reply would be due on January 30, 2009, and the hearing on PICA's motion would be set for February 13, 2009. The parties are aware that the Court continued the previously filed and briefed HP Motion for Summary Judgment,

## II. BACKGROUND

On December 24, at approximately 1:00 pm, Defendant PICA filed a Motion for Summary Judgment or for Partial Summary Judgment, submitting declarations of 5 witnesses, an attorney declaration and exhibits, submitted under seal. PICA's ECF filing was redacted and otherwise incomplete due to its submission under seal. PICA delivered the full version of its filings electronically at 2:40 p.m. on December 24, 2008. Based on the hearing date for PICA's motion, MMCA's response is presently due on January 9, 2009. Litton & Geonetta, LLP, the two person law firm representing MMCA along with sole proprietor Ken Frucht, Esq., is dissolving as of December 31, 2008, and L&G partner Marc Litton is no longer representing MMCA, thus two attorneys Mr. Frucht, and Fred Geonetta, rather than three, represent MMCA to respond to PICA's motion. Mr. Frucht is spending 100% of his time through January 12,

CIVIL ACTION NO.: CV 06-07067-MMC (EMC)

2009 preparing for a Federal Court trial in a police brutality case in Sacramento, California. This trial begins January 12, 2009 and is projected to last two weeks or longer. From Plaintiff's perspective, Mr. Frucht is effectively unable to assist in MMCA's opposition. Mr. Geonetta, MMCA's other remaining counsel had preplanned and partially prepaid time off to attend to a terminally ill parent in San Diego, California from December 28 through January. In addition, PICA's motion has given rise to several issues concerning the Protective Order in effect in this litigation, as well as certain discovery matters which the parties are attempting to resolve through meeting and conferring, though Court assistance may be required should these efforts fail. For the foregoing reasons, MMCA asserts that it requires additional time to adequately prepare its opposition to PICA's motion. In addition, several witnesses who reside out of the United States or in the United States but outside of California and whom we believe are or may be necessary to respond to the PICA motion, are not available due to the Holidays. PICA and MMCA hereby stipulate that MMCA may have an additional two weeks, until January 23, 2009 to file its opposition papers.

The parties to this action, including Defendant HP are cognizant that the Court has reset the hearing on HP Motion for Summary Judgment or in the Alternative for Judgment on the Pleadings from January 9, 2009 to January 30, 2009, the date PICA set for the hearing of its motion. Counsel for MMCA met and conferred with counsel for HP who agreed that both HP and MMCA favor keeping the HP motion set for hearing on January 30, 2009, though neither party presumes to dictate the Court's calendar.

## III GOOD CAUSE EXISTS

Due to the logistical difficulties presented by PICA's Motion, which are described above, and the scheduling conflicts of Plaintiff MMCA's counsel, MMCA requires additional time to fully and adequately prepare its opposition to PICA's motion. The parties have agreed that the Opposition, Reply and hearing dates should be extended by a period of two weeks.

IV CONCLUSION

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1	For the reasons set forth above, the parties respectfully request that the Court enter the					
2	[Proposed] Order continuing the Opposition, Reply and hearing dates for PICA's Motion for					
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5	Summary Judgment or in the Alternative for Partial Summary Judgment as follows					
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7	Plaintiff's Opposition Due Date:	Jaı	nuary 2 3, 2009			
8	Defendant's Reply Due Date	January 30, 2009				
9	Hearing On Defendant's Motion	Fe	February 13, 2009			
10						
11	Dated: November 25, 2008	By:	//SS//			
12		_	Frederick Geonetta LITTON & GEONETTA, LLP			
13			120 Montgomery Street, Suite 1600			
14			San Francisco, CA 94104 Telephone: (415)-421-4770			
15			Facsimile: (415)-421-4785			
16			Attorneys for Plaintiff			
17			MMCA GROUP, LTD.			
18	Dated: November 25, 2008	By:	//SS//			
19		_	Donald Simon			
20			WENDEL, ROSEN, BLACK & DEAN LLP			
21			1111 Broadway, 24th Floor Oakland, CA 94607			
22			Telephone: (510) 834-6600 Facsimile: (510) 834-1928			
23			Attorneys for Defendant			
24	ORDER PICA					
25	Pursuant to the parties' stipulation, plaintiff's opposition Partial Summary Judgment shall be filed no later that					
26	filed no later than January 30, 2009; in light of the Co on February 20, 2009. Additionally, the hearing on I					
27	the Alternative, Judgment on the Pleadings is continued to February 20, 2009.					
	IT IS SO ORDERED. Dated: January 6, 2009.		Mafine M. Chelmy			
	Civil Action No.: CV 06-07067-MMC (EMC)		Maxine M. Chesney United States District Judge			
	STIPULATION AND PROPOSED ORDER EXTENDING BREIFING AND HEARING DATES RE PICA					

MOTION FOR SUMMARY JUDGMENT

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